



2161
#8
BT

PATENT 02.21.03
Attorney Docket No.: VEK-001.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Knight, Stephen C.

Application No: 09/938,295

Filed: August 23, 2001

For: RECRUITING A PATIENT INTO A
CLINICAL TRIAL

Examiner: Not Yet Assigned

Art Unit: 2161

RECEIVED
FEB 10 2003
GROUP 3600

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on February 6, 2003.

Kerry N. Richard

Commissioner for Patents
Washington, DC 20231

Sir:

Submitted herewith are:

1. Transmittal Form (1 pg.);
2. Information Disclosure Statement Under 37 CFR 1.97 (1 pg.);
3. Information Disclosure Statement By Applicant (Form 1449A) (1 pg.);
4. International Search Report (4 pages); -
5. Reference AA - AE; and
6. Return Receipt Postcard.



Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/938,295
	Filing Date	August 23, 2002
	First Named Inventor	Knight, Stephen C.
	Group Art Unit	2161
	Examiner Name	NYA
	Attorney Docket Number	VEK-001.01

RECEIVED
FEB 13 2003
GROUP 3600

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement by Applicant (Form 1449A) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Information Disclosure Statement Under 37 CFR 1.97; Copy of Search Report; References AA - AE; Certificate of First Class Mailing; and Return Receipt Postcard
Remarks		Customer No 25181

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kevin A. Oliver
Signature	
Date	February 6, 2003



PATENT
Attorney Docket No.: VEK-001.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Knight, Stephen C.

Application No: 09/938,295

Filed: August 23, 2001

For: Recruiting a Patient into a Clinical Trial

Examiner: Not Yet Assigned

Art Unit: 2161

RECEIVED
FEB 13 2003
GROUP 3600

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Commissioner for Patents
Washington, DC 20231

Sir:

In compliance with the requirements of 37 C.F.R. 1.56, submitted herewith on Form PTO-1449A is a list of publications identified in an International Search Report (ISR) in a counterpart PCT application; a copy of each publication is being submitted herewith. This submission is provided before a first office action on the merits.

Although we believe that we have appropriately provided for any fees due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to/from our Deposit Account No. 06-1448, Reference VEK-001.01.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1241.

Respectfully Submitted,

Kevin A. Oliver
Reg. No. 42,049

Date: February 6, 2003

Customer No: 25181
Patent Group
Foley, Hoag LLP
World Trade Center West
155 Seaport Boulevard
Boston, MA 02210-2600



Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

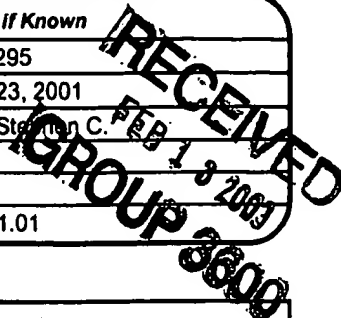
INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number 09/938,295
Filing Date August 23, 2001
First Named Inventor Knight, Stephen C.
Group Art Unit 2161
Examiner Name NYA
Attorney Docket Number VEK-001.01



FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₂
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
RP	AA	WO	98 39720		University of Florida	09/11/1998		
RP	AB	EP	0 936 566		Siemens, AG	08/18/1999		
RP	AC	WO	98 49647		Medical Science Systems, Inc.	11/05/1998		
RP	AD	WO	01 55942		Florin, Lawrence B., et al.	08/02/2001		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AE	KING, CHESTER, ET AL., "MEDUS/A: Distributing Database Management for Medical Research" Computer Networks. Washington, September 20 - 23, 1982 Digest of Papers from Compcon. Fall, Computer Society International Conference, New York, I.E.E.E., US, vol. CONF. 25, 09-20/1982, pages 635-642.	

Examiner Signature

Rachel A. Post

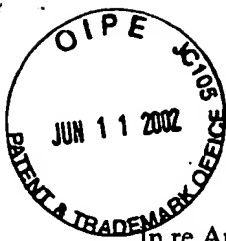
Date Considered

March 19, 2002

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen Knight

Application No: 09/938,295

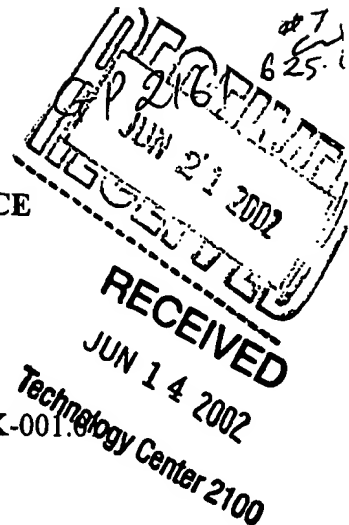
Filed: August 23, 2001

For: Recruiting a Patient into a Clinical Trial

Examiner: To Be Assigned

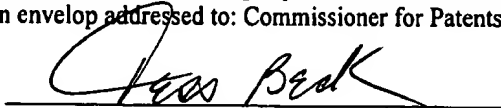
Art Unit: 2161

Attorney Document No. VEK-001



CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelop addressed to: Commissioner for Patents, Washington, DC 20231, on 5 June 2002:


Tess Beck

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)(3)

Commissioner for Patents
Washington, DC 20231

RECEIVED
JUN 20 2002
GROUP 3600

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants and/or their agent in compliance with the requirements of 37 CFR §1.56. Copies of the documents are also submitted.

This Information Disclosure Statement is being submitted before the mailing date of a first action on the merits; therefore, no fee is due.

Applicants respectfully request that the Examiner consider the listed documents and indicate that each was considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists. Nor does it constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the cited documents as prior art against any claim in the application and Applicants determine that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said document.

Applicants further reserve the right to take appropriate action to establish the patentability of the claims over the listed documents, should the cited documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account, No. 06-1448.

Respectfully submitted,

FOLEY HOAG LLP

Date: June 5, 2002

By: 

Scott E. Kamholz, M.D., Ph.D.

Reg. No. 48,543

Applicants' Agent

Customer No.: 25181

Patent Group
Foley Hoag LLP
155 Seaport Boulevard
Boston, MA 02210-2600
Voice: (617) 832-1000
Facsimile: (617) 832-7000

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**
(Use several sheets if necessary)

Docket Number (Optional)
VEK-001.01

Application Number
09/938,295

Applicant
Stephen Knight

Filing Date
August 23, 2001

Group Art Unit

RECEIVED
JUN 14 2002
Technology Center
U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
RP	AA 5,991,731	11/23/99	Colon et al.	705	3	02/01/99
RP	AB 5,734,883	03/31/98	Umen et al.	395	601	04/27/95
RP	AC US 2002/00022474 A1	01/03/02	Michelson et al.	705	3	08/08/01
RP	BA US 2001/0034631 A1	10/25/01	Kiselik	705	8	01/19/01

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation YES NO
RP	AD WO 01/55942 A1	08/02/01	PCT			

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages Etc.)*

RP	AE	* ReSearch Clinical Services Signs Exclusive Agreement With Healthdemographics				
RP	AF	* Advance Paradigm Announces Interactive Web Site; Features Secure, Convenient Member Access to Pharmacy Benefit Management and Information Services				
	AG	* Quintiles Invests In Physicians' Online, the Leading Online Service for Doctors				
	AH	* Object Products, Inc. to Demonstrate Clinical Trials Patient Recruitment Solution at HIMSS				
	AI	* Keratoconus patients recruited via Web				
	AJ	* American Oncology Resources Launches First System to Match Cancer				
	AK	* Hospital Web Site Earns Physician Respect With Clinical Trials Section				
	AL	* Internet (Clinical Trials) New Software Means Paperless Clinical Trials, Quicker Cures				
	AM	* CenterWatch Launches Service to Help Patients Access NIH Clinical Trials				
	AN	* DrugMonitor.com Launches Web Site to Advance Clinical Trial Participation				
RP	AO	* drkoop.com & Quintiles Launch Service to Recruit Clinical Trial Patients on the Internet; Quintile-drkoop.com Clinical Trials Information Center Expands Awareness and Availability of Clinical Trials as a Treatment Option for Consumers; Service Harnesses Power of the Internet to Accelerate Enrollment of Qualified Patients, Increasing Speed and Efficiency of Drug Development Process; Center is First Consumer On-Line Service With Interactive Pre-Screening, Enrollment Tracking Features				

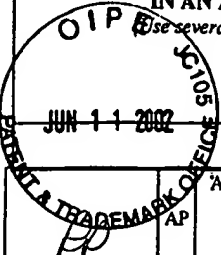
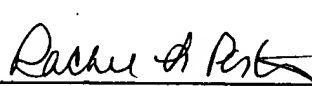
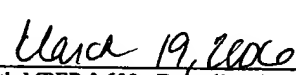
RECEIVED
JUN 20 2002
GROUP 3600

EXAMINER

DATE CONSIDERED

Richard P. [Signature]
March 19, 2002

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Docket Number (Optional) VEK-001.01	Application Number 09/938,295
		Applicant Stephen Knight	
		Filing Date August 23, 2001	Group Art Unit
FOREIGN PATENT DOCUMENTS			
	AP	America's Doctor to Begin Clinical Trials Program	
RP	AQ	drkoop.com "Clinical Trials" web site (17 pages)	
RP	AS	*Centerwatch.com "CenterWatch Patient Notification Service" web site (2 pages)	
EXAMINER		DATE CONSIDERED	
			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			

RECEIVED
JUN 14 2002
Technology Center 2100

RECEIVED
JUN 20 2002
GROUP 3600